



KERALA GAZETTE

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PART IV

Private Advertisements and Miscellaneous Notifications

KERALA ADMINISTRATIVE TRIBUNAL, THIRUVANANTHAPURAM

NOTIFICATION

No. 1060/2013/KAT.

Dated, Thiruvananthapuram 1st April 2013.

In exercise of powers conferred by Section 22 of the Administrative Tribunals Act 1985 (Central Act 13 of 1985), the Kerala Administrative Tribunal makes the following Rules further to amend the Kerala Administrative Tribunal Rules of Practice, 2011.

RULES

1. Short title and Commencement

- (1) These rules may be called the Kerala Administrative Tribunal Rules of Practice (Amendment) Rules 2013.
- (2) They shall come into force forthwith.

2. Amendment to Rules 4(b) and 4(c) in Chapter III

(i) After the existing sentence in Rule 4 (b), the following shall be inserted.

“The Applicant/s in OA shall furnish official address if any in the cause title and residential address either in the cause title or in the verification column. In the address column of parties, the correct pincode shall be stated”.

(ii) Between the words ‘of’ and ‘empty’ in Rule 4 (c) the new words ‘copies in’ shall be inserted:

(iii) After the existing sentence in Rule 4 (c), the following shall be added:

“The additional copies intended for service to the respondents are to be produced only after the Bench admitting applications to file or ordering notices. If copies corresponding to the number of respondents are not furnished within 5 days or such extended period since the date of admission/ordering of notices, the default will be immediately reported by the Registry to the Bench for appropriate action”.

3. Amendment to Rule 17 in Chapter IV.

After the existing last sentence in Rule 17(a) the following shall be added in the same paragraph.

“For the purpose of this clause, defect includes

(i) failure to attach to the main petition synopsis of facts in the OA

(ii) failure to indicate by annexure numbers in the Relief/Prayer column of main and miscellaneous petitions, the impugned orders of official respondents in respect of which relief is sought

(iii) failure to paginate the Annexures in serial order in continuation of Original Application without altering the original page numbers of Annexure

(iv) failure to attach affidavit along with miscellaneous application for any relief

(v) failure to attach additional paper sheets as part of the order sheet and

(vi) failure to produce certified copy of impugned order accompanying review/contempt petition”

4. Amendment to Rule 19 in Chapter IV

After the existing sentence in Rule 19 (a), the following shall be added:

“Cases for today motion shall be filed before 12 noon without defects and only on the day preceding and succeeding holidays unless the motion is permitted by Bench on urgent basis. If defects are cured after 12 noon, the case will be listed only the next working day”.

5. Amendment to Rule 25 in Chapter V

After the existing last sentence in Rule 25 (a) the following shall be added:

“Interim orders pronounced by the Bench shall not be handed over to the applicant/counsel when there is failure to take steps for issue of notice to respondents”.

6. Amendment to Rule 34 in Chapter VI

After the existing first sentence in Rule 34, the following shall be newly added.

“In the case of addition/deletion of parties, it shall be the duty of Registry to carry out the addition/deletion of names and addresses of parties in the cause title”.

7. Amendment to Rule 48 in Chapter VIII

After the last sentence in R 48(b), the following shall be added.

“When an OA is filed during vacation the applicant/counsel shall file a memo explaining the urgency for moving the OA during vacation. In pending matters, the applicant/counsel shall file a miscellaneous application explaining the urgency for moving it during vacation. Today motion during vacation shall be only with the sanction of the Bench concerned. Sanction for Today motion shall be sought when the Bench commences sitting”.

8. Amendment to Rule 75 in Chapter XIII

The existing Rule 75 (a) shall be substituted as hereunder

“ An identity card as referred to in sub-rule (3) of Rule 25 of the Procedure Rules shall be issued in Form No. 13 to every registered clerk of the legal practitioner on his remitting a fee as fixed by Chairman by way of chalan in Government Treasury under the head of account —0070-01-800-92-KAT— Receipts on behalf of Registrar of Kerala Administrative Tribunal, Thiruvananthapuram”.

9. Amendment to Rule 117 in Chapter XVIII

In the existing Rule 117 (a), after the words “₹ 5 (Rupees five only)”, the following shall be added and the entire remaining sentence deleted.

“per copy of order/document”.

10. Amendment to Rule 122 in Chapter XVIII

After the last sentence in Rule 122 (b), a new and separate clause shall be inserted below as follows:

(c) “Officer in charge of the copying section shall determine the requisite amount of copying fee and publish the dates due for furnishing stamp for the amount in the Notice Board of the Registry. The stamp furnished shall accompany a memo signed by party/applicant/counsel containing number of stamps denomination and total value. In case stamp is not furnished in the manner indicated also within the time stipulated the copy application shall be struck off by the Registry”.

11. Amendment to Rule 127 in Chapter XVIII

After the existing last sentence in Rule 27, the following shall be added:

“Certified copies not taken delivery of by applicant within 30 days of publication of list of copies shall be forthwith consigned from copying section to record section. They shall be no more delivered to applicants unless a fresh application for copy is filed in accordance with Rule”.

JUSTICE K. BALAKRISHNAN NAIR,
Chairman.

Explanatory Note

(This does not form part of the notification but is intended to indicate its general purpose.)

The experience in the working of the Tribunal shows that a few of the existing rules in the Kerala Administrative Tribunal Rules of Practice 2011 require suitable amendments to maintain the smooth, systematic and effective functioning of the Tribunal.

This notification is intended to achieve the above object.